(21)

माननीय उच्च न्यायालय छत्तीसगढ बिलासपुर (बिलासपुर)

रिट याचिका क्र. 2887 / 2007

याचिकाकर्ता — बाबूलाल साहू वल्द श्री फत्ते लाल साहू उम्र लगभग 40 वर्ष निवासी ग्राम करियाटोला, डोंगरगांव, जिला राजनान्दगांव छ.ग.

विरुद्ध

उत्तरवादीगण

1. निदेशक (डायरेक्टर एस. आर) गृह मंत्रालय भारत सरकार, नई दिल्ली
2. सचिव, छ.ग. शासन, खाद्य नागरिक आपूर्ति एवं उपभोक्ता संरक्षण विभाग मंत्रालय, रायपुर छ.ग.
3. अध्यक्ष, छ.ग. स्टेठ सिविल सप्लाईज कार्पोरेशन लिमिटेड, मुख्यालय रायपुर छ.ग.
4. प्रबंधक संचालक, छ.ग. सटेट सिविल सप्लाइज कार्पोरेशन लिमिटेड, मुख्यालय रायपुर छ.ग.
5. महाप्रबंधक (प्रशासन) छ.ग. सटेट सिविल सप्लाइज कार्पोरेशन लिमिटेड, बाल आश्रम परिसर कचहरी चौक मुख्यालय रायपुर छ.ग.
6. प्रबंधक संचालक, म.प्र. सटेट सिविल सप्लाइज कार्पोरेशन लिमिटेड, पर्यावास भवन, तृतीय तल मदर टेरेसा रोड, मुख्यालय भोपाल (म.प्र.)

रिट याचिका अंतर्गत अनुच्छेद 226 भारतीय संविधान

(SB: Hon'ble Shri Justice Satish K. Agnihotri)

PRESENT:

Shri Tanvir Aslam Khan, counsel for the petitioner.
Shri Rajnish Kumar Shrivastava, Advocate appears on behalf of Shri Shailendra Dubey, counsel for Union of India.
Shri A.S. Kachhawaha, Govt. Advocate for the State.

(22)

ORDER
(:Passed on 5th July, 2007)

Learned counsel appearing for the petitioner submits that by order dated 25-1-2007 (Annexure P/2), Government of India, Ministry of Home Affairs, the services of the petitioner have been allocated to the State of Madhya Pradesh. The petitioner, being a Class IV employee, does not want to go to Madhya Pradesh as his residence is in Chhattisgarh. The petitioner has not pressed any other grounds except that the petitioner is a resident of State of Chhattisgarh.

2) Be that as it may, under the provisions of Madhya Pradesh Reorganisation Act, 2000, the Government of India is the final authority to decide allocation of the employees of the erstwhile State of Madhya Pradesh. Accordingly, the Government of India exercised its jurisdiction and passed the order.

3) I have not found any irregularity or illegality and also it is not the case of the petitioner. Looking from all angles, there is no merit in the case. Thus, the petition is dismissed.

Sd/-
Satish K. Agnihotri
Judge

raju